

Application No.: 10/718,555
Attorney Docket No.: 042223
Response under 37 CFR §1.116

REMARKS

Please reconsider the application in view of the above amendments and the following remarks.

Status of Claims

Claims 1-3 were cancelled previously. Claims 4-6 are pending in this application. Claim 4 has been amended. These amendments introduce no new matter and support for the amendment is found in at least Fig. 4 of the present specification. These amendments are made without prejudice and are not to be construed as abandonment of the previously claimed subject matter or agreement with any objection or rejection of record.

Examiner Interview

Applicants appreciate the courtesy extended by Examiner Alam and Supervisory Examiner Srivastava in the personal interview on May 5, 2008. In the interview, it was discussed that that if the same program (such as Star Trek) exists on simulcast channels, the analog channels are deleted from the up/down channel list by the Erasing Means of the claimed invention thereby preventing the viewer from locking on to the lower image quality analog broadcasting channel. Consequently, a viewer gets to view the higher image quality digital broadcast

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In contrast, the broadcasting receiver in cited references is completely devoid of any means for erasing simulcast analog channel from the channel list if present on the source broadcast. For example, Ibrahim Sezan permits the user to select among different sources such as terrestrial sources, digital video disc, cable television, analog broadcast television, digital broadcast television, analog radio broadcasts, and digital radio broadcasts. In other words, the viewer receives all the broadcast channels available on each of its [viewer's] chosen sources. However, the system lacks any means for erasing simulcast analog channel if present on the broadcast sources.

Also, Arora merely teaches that viewers can create a customizable list of their favorite broadcast channels; however, the simulcast analog channels remain in UP/DOWN channel list. For example, if the user chooses the UP/DOWN key on the remote control transmitter to access channels instead of the favorite list, the viewer then has access to simulcast analog channels because those channels are never deleted from the broadcast receiver; they were merely filtered when viewers used the favorite channel list.

In view of the above discussion, it was agreed that the claimed invention does not appear to be obvious in view of the cited prior art if claims 4-6 are amended to clarify that the simulcast analog channels are automatically erased from the broadcasting receiver without the viewers' intervention. Applicants have amended the claims according to Examiners' request. In view of the amended claims -- now of record -- it is believed that the previous rejection, based on cited references, is now moot. Accordingly, Applicants request that the rejection regarding claims 4-6 as set forth in the Final Office Action, be withdrawn.

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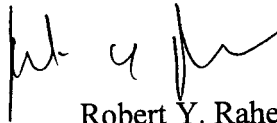
Conclusion

The claims have been shown to be allowable over the prior art. Applicants believe that this paper is responsive to each and every ground of rejection cited in the Office Action dated February 25, 2008, and respectfully request favorable action in this application. The examiner is invited to telephone the undersigned, applicants' attorney of record, to facilitate advancement of the present application.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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